REMARKS

Claims 1-28, 34-39, 44-51, and 53-87 are pending in this office action. Consideration and allowance of the pending claims is requested. This filing is appropriate after final because it implements a suggestion of the Examiner, does not amend any of the claims, and will not require further search or examination in order for the case to be allowed.

Formalities of Office action

Applicants thank Examiner Minnifield for withdrawing the rejections from the previous Office action, in view of the Amendment and Response submitted to the examiner on July 19, 2004, with the exception of the rejection of claims 1-28, 34-39, 44-51 and 53-87 under 35 U.S.C §102(e).

Claims rejected under 35 U.S.C §102(e)

Claims 1-28, 34-39, 44-51 and 53-87 are rejected under 35 U.S.C. §102(e) as allegedly anticipated by Bonner *et al.* (U.S. Patent Number 6,251,516; issued June 26, 2001). The current Office action indicates that the Declaration submitted on July 19, 2004, in response to the previous Office action, is insufficient to overcome this rejection of claims 1-28, 34-39, 44-51 and 53-87, because it does not include the correct citation of the Bonner *et al.* patent.

Applicants resubmit herewith a corrected Declaration under 37 C.F.R. 1.132 (the Declaration) from Lance A. Liotta and Michael R. Emmert-Buck, correctly citing the patent by Bonner *et al.* as U.S. Patent Number 6,251,516. Lance A. Liotta and Michael R. Emmert-Buck are the only two overlapping co-inventors of both Bonner *et al.* and of the subject patent application. The Declaration (at paragraph 4) states that the concept of analyzing proteins from a population of microdissected cells is the work of co-inventors Liotta and Emmert-Buck to the extent that this concept is disclosed, but not claimed, in Bonner *et al.* Thus, the Declaration submitted herewith overcomes the rejection based on Bonner *et al.* because the disclosure is not "by another" and because the Declaration now correctly cites the Bonner *et al.* patent.